



**ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR NATURAL RESOURCES**

**Steven L. Beshear**  
Governor

**Division of Abandoned Mine Lands**  
2521 Lawrenceburg Road  
Frankfort, Kentucky 40601  
[www.ky.gov](http://www.ky.gov)

**Leonard K. Peters**  
Secretary

**Steve Hohmann**  
Commissioner

February 2, 2015

Mr. Mike Ricketts  
US Army Corps of Engineers  
Louisville District- Western Regulatory Office  
P.O. Box 489  
Newburgh, Indiana 47629-0489

Dear Mr. Ricketts:

The Kentucky Division of Abandoned Mine Lands (KYDAML) is proposing a reclamation project in Hopkins County and is submitting this Pre-Construction Notification for Nationwide 37 Permit. The Frank Eck AML Project will reclaim abandoned mine impoundments and grade a section of dangerous highwall in the Mortons Gap community south of Madisonville. The entire project area has been disturbed by mining activities and the impounded water is due to poor drainage and final mining pits. These bodies are shallow, and two lack any form of vegetation. Please find attached the PCN on the standard permit application form, a preliminary JD for the watershed (including areas not being disturbed),

Please find the PCN on a permit application form, preliminary jurisdictional determination sheet, site photos, landowner consents, and NEPA letters from KY SHPO and KY F&W. Should you need additional information, please contact me at 502-564-2141 or by email at [jason.robinson@ky.gov](mailto:jason.robinson@ky.gov).

Sincerely,

Jason Robinson, Environmental Scientist IV  
KY Div. AML

Enclosures

**U.S. ARMY CORPS OF ENGINEERS  
APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT  
(33 CFR 325)**

OMB APPROVAL NO. 0710-0003  
EXPIRES: 31 AUGUST 2012

Public reporting for this collection of information is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of the collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters, Executive Services and Communications Directorate, Information Management Division and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

**PRIVACY ACT STATEMENT**

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

**(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)**

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
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**(ITEMS BELOW TO BE FILLED BY APPLICANT)**

5. APPLICANT'S NAME First - Jason      Middle -      Last - Robinson Company - KY Division of Abandoned Mine Lands E-mail Address - jason.robinson@ky.gov		8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required) First -      Middle -      Last - Company - E-mail Address -	
6. APPLICANT'S ADDRESS: Address- 2521 Lawrenceburg Rd City - Frankfort      State - KY      Zip - 40601      Country -		9. AGENT'S ADDRESS: Address- City -      State -      Zip -      Country -	
7. APPLICANT'S PHONE NOS. w/AREA CODE a. Residence      b. Business      c. Fax 502-564-2141      502-564-6544		10. AGENTS PHONE NOS. w/AREA CODE a. Residence      b. Business      c. Fax	

**STATEMENT OF AUTHORIZATION**

11. I hereby authorize, NA to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

\_\_\_\_\_  
SIGNATURE OF APPLICANT

\_\_\_\_\_  
DATE

**NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY**

12. PROJECT NAME OR TITLE (see instructions) Frank Eck AML Reclamation Project			
13. NAME OF WATERBODY, IF KNOWN (if applicable) Unnamed tributaries of Flat Creek		14. PROJECT STREET ADDRESS (if applicable) Address City -      State -      Zip -	
15. LOCATION OF PROJECT Latitude: +N 37.26002      Longitude: +W 87.47517			
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) State Tax Parcel ID      Municipality Section -      Township -      Range -			

24. Is Any Portion of the Work Already Complete? ☐ Yes ☒ No IF YES, DESCRIBE THE COMPLETED WORK

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

a. Address- See attached consents

City - State - Zip -

b. Address-

City - State - Zip -

c. Address-

City - State - Zip -

d. Address-

City - State - Zip -

e. Address-

City - State - Zip -

26. List of Other Certificates or Approvals/Denials received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
KY Div. Mine Permit	WQC		2015-02-03		

\* Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for permit or permits to authorize the work described in this application. I certify that this information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

\_\_\_\_\_  
SIGNATURE OF APPLICANT

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF AGENT

\_\_\_\_\_  
DATE

The Application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

**Block 18: Nature of Activity (Description of project, include all features):**

The project will reclaim three abandoned mine pits and a section of dangerous highwall along a county roadway using onsite mine spoil adjunct to each pit/highwall. After grading, stable channels will be constructed along the center valley of the regarded areas to achieve positive drainage while preventing future erosion problems.

Pit 1 and its associated highwall is a final mining pit running parallel to the county's Flat Creek road. A pipe in the access road berm at the east end is mostly collapsed causing rainwater to collect in the pit until seeping through the berm or into the adjacent spoil ridges. In the late summer/fall, the pit area is dry. The vegetation is mainly small trees and shrubs. The highwall section is actively accessed for uses as an unlicensed dumping ground.

Pit 2 is an acidic (avg. pH 3.5, specific conductance 800  $\mu\text{S}/\text{cm}$ ) impoundment with no vegetation despite an average water depth less than 6.6 ft.

Pit 3 is an acidic (avg. pH 4.0) impoundment that is isolated with no vegetation despite an average water depth less than 6.6 ft. Water leaves this impoundment by entering the shallow groundwater table through the adjacent spoil piles.

**Block 23: Description of Avoidance, Minimization, and Compensation:**

Pit 1 grading is minimized to only impact the highwall that is accessible from the county roadway. The drainage is being reestablished in the center of the graded area at the same elevation of the current valley floor. The existing outlet pipe is being replaced so that water can leave the site without overtopping the existing berm/access at the eastern outlet or leading through the downslope face as it current does.

Pit 2 is an acidic impoundment. Removal and the water, grading and heavy incorporation of limestone into the soil will improve the local water quality that leaves the area. Vegetation will be planted to prevent erosion and a stable channel will be established. The channel is set on a 1-1.5% slope which will naturally create small pools for wildlife habitat. A 2-stage channel will be constructed in the center of the valley with erosion control checks.

Pit 3 is an isolated, acidic impoundment that leaches water through the adjacent spoils as shallow groundwater. The pit will be raised to great positive drainage and heavy incorporation of agriculture limestone will improve the water quality leaving the area. The limestone will generate buffering capacity in the soils and add alkalinity to the water that crosses or infiltrates into the soils.

**Block 25: Addresses of Adjoining Property Owners**

Loretta Eck  
605 Brookline Rd  
Marietta, GA 30067

Troy Willis  
4530 Stagecoach Rd  
Manitou, KY 42436

ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR NATURAL RESOURCES  
DIVISION OF ABANDONED MINE LANDS

OWNER / TENANT CONSENT FOR RIGHT OF ENTRY FOR  
RECLAMATION & ABATEMENT / ACCESS / EXPLORATORY WORK  
(Waiver of Lien/No Lien)

Project: Frank Eck Group - Eck Site

PVA Map & Parcel#: 100-18

Under Title IV of the Surface Mining Control and Reclamation Act of 1977 (SMCRA), 30 U.S.C. 1231 et seq., and the Kentucky Revised Statutes Chapter 350, the Division of Abandoned Mine Lands (DAML) proposes to undertake reclamation work necessitated by abandoned coal mining activity to protect the public health, safety and general welfare from the adverse effects of past coal mining.

To achieve this objective, it will be necessary for officers, agents, employees and contractors of the Commonwealth to enter upon property owned by:

Lorella Ann Eck  
605 Brookline Road  
Madison, GA 30057-5805

- ☒ Owner: I/We give this consent to enter upon the above described property to complete the reclamation and any maintenance activities that may be necessary. This consent is subject to my/our continued ownership and use of the property.
- ☐ Tenant: I/We give this consent to enter upon the above described property, subject to the superior rights of the owner of record.
- ☐ Access: I/We give this consent to enter upon the above described property for the purpose of obtaining access to an abandoned mine land reclamation project.
- ☐ Exploratory: I/We give consent to enter upon the above described property to complete the exploratory work subject to my/our continued ownership and use of the property.

NOW, THEREFORE, in consideration of the benefits which will inure to the Owner and to the general public, the Owner does hereby grant to DAML, its employees, agents, contractors and subcontractors a right of entry into, over and upon the above-described property, including all necessary and convenient rights of ingress, egress and regress, with all material and equipment to conduct the proposed reclamation or maintenance activities, and to do any and all things necessary and convenient to effectively carry on said activities, in a good and workmanlike manner, including but not limited to the temporary storage of equipment and material and the construction of temporary roadways on the property. Said right of entry is granted for the time required to complete the reclamation or maintenance activities subject to the owner's or tenant's continued ownership and use of the property.

NOW THEREFORE, in consideration of the above representations including those printed on the second page, the Owner/Tenant hereby agrees to save and hold harmless the Commonwealth of Kentucky, its officers, agents, and employees from any and all liabilities, obligations, claims and demands in law and equity arising from the performance of the work herein contemplated or performed.

IN WITNESS WHEREOF, the Owner or authorized representative has caused this Consent for Right of Entry to be executed this 24 day of July, 20 12.

(WITNESS)

(Signature)

(WITNESS)

(Signature)

Representative on behalf of the  
KY DIVISION OF ABANDONED MINE LANDS  
(502) 564-2141

- The Owner understands and acknowledges that the success of the project cannot be warranted and the proposed work may not accomplish the intended result. The Owner also acknowledges that DAML has no responsibility or liability for any mine related damage to the Owner's property which occurred prior to or which might occur during or after the abatement work.
- It is understood the work performed in the project area shall be done by contractors for the Commonwealth, and the Commonwealth is without authority to assume the risk of injury to persons or damage to persons or property resulting from the action of the contractors, but the Commonwealth shall require contractors performing the work on the property to obtain and keep in force liability insurance.
- It is further understood that the Commonwealth is unable to make repairs to structures for any mine related damages. However, upon completion of the reclamation work, the property shall be restored to a condition judged to be safe and acceptable to the DAML.
- The Owner understands that if, as part of the intended reclamation project, DAML damages or destroys any landscaping, septic system or other item of personal property, that item will be repaired or replaced with an identical or similar item by DAML. Septic systems damaged or removed as part of the project must be replaced according to local health department regulations. Upon completion of the project, all future septic system maintenance will be the responsibility of the landowners.
- It is further understood that any agreement, verbal or written, between the Owner and DAML's contractor shall be solely between said parties. Since DAML is not party to that agreement, it is unable to enforce said agreement and assumes no liability therein.
- Execution of this Consent for Right of Entry does not obligate the Commonwealth to perform any part of the contemplated or proposed reclamation work. By executing this Consent for Right of Entry neither the Owner nor the Commonwealth of Kentucky waive any rights conferred by operation of Title IV of the SHCRA.

**Property Owner Information:**

Please note the following items that may affect the project; for example, location of septic tanks, boundary markers, wells, sentimental landscaping, or utility lines (such as buried TV or telephone cables, buried electric service lines, septic leach lines, or water lines from wells, mines, or public service):

- 1) The property listed above as Mrs. & Eck Group - Eckville and owned by Keretta A. Eck was conveyed to The Keretta A. Eck Living Trust, with Keretta A. Eck and Francis B. Eck as Trustees, by Grant & Claim Deed in Hopkins County, Deed Book D699, pages 179-182.
- 2) A survey was done by Ronald Johnson & Associates, Thomas Crabtree, of Madisonville KY in 2004, of the property, with markers, if any references or replacement is needed.

What year was the property deeded to you?

1996

Deed Book and Page Number:

Deed Book 339, Pg. 457 Deed Book 246, pg. 378

Previous Owners name:

Angella Hull Madison

I acknowledge receipt of this form. I understand that AML IS A RECLAMATION AGENCY of the Commonwealth of Kentucky and its goal is to reclaim hazards caused by past mining. I understand that AML is not a land or home improvement agency and that AML funds are only used in the most cost-efficient manner to abate mine hazards.

LE  
Initials

7/14/12  
Date

ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR NATURAL RESOURCES  
DIVISION OF ABANDONED MINE LANDS

OWNER / TENANT CONSENT FOR RIGHT OF ENTRY FOR  
RECLAMATION & ABATEMENT / ACCESS / EXPLORATORY WORK  
(Waiver of Lien/No Lien)

Project: Frank Eck Group - Eck Site

PVA Map & Parcel#: 94-1

Under Title IV of the Surface Mining Control and Reclamation Act of 1977 (SMCRA), 30 U.S.C. 1231 et seq., and the Kentucky Revised Statutes Chapter 350, the Division of Abandoned Mine Lands (DAML) proposes to undertake reclamation work necessitated by abandoned coal mining activity to protect the public health, safety and general welfare from the adverse effects of past coal mining.

To achieve this objective, it will be necessary for officers, agents, employees and contractors of the Commonwealth to enter upon property owned by:

Troy Mills  
4530 Siege Coach Road  
Mantou, KY 42436

X Owner: I/We give this consent to enter upon the above described property to complete the reclamation and any maintenance activities that may be necessary. This consent is subject to my/our continued ownership and use of the property.

\_\_\_\_\_ Tenant: I/We give this consent to enter upon the above described property, subject to the superior rights of the owner of record.

\_\_\_\_\_ Access: I/We give this consent to enter upon the above described property for the purpose of obtaining access to an abandoned mine land reclamation project.

\_\_\_\_\_ Exploratory: I/We give consent to enter upon the above described property to complete the exploratory work subject to my/our continued ownership and use of the property.

NOW, THEREFORE, in consideration of the benefits which will inure to the Owner and to the general public, the Owner does hereby grant to DAML, its employees, agents, contractors and subcontractors a right of entry into, over and upon the above-described property, including all necessary and convenient rights of ingress, egress and regress, with all material and equipment to conduct the proposed reclamation or maintenance activities, and to do any and all things necessary and convenient to effectively carry on said activities, in a good and workmanlike manner, including but not limited to the temporary storage of equipment and material and the construction of temporary roadways on the property. Said right of entry is granted for the time required to complete the reclamation or maintenance activities subject to the owner's or tenant's continued ownership and use of the property.

NOW THEREFORE, in consideration of the above representations including those printed on the second page, the Owner/Tenant hereby agrees to save and hold harmless the Commonwealth of Kentucky, its officers, agents, and employees from any and all liabilities, obligations, claims and demands in law and equity arising from the performance of the work herein contemplated or performed.

IN WITNESS WHEREOF, the Owner or authorized representative has caused this Consent for Right of Entry to be executed this 5th day of December, 2012.

(Signature)  
(Witness)

(Signature)  
(Signature)

Representative on behalf of the  
KY DIVISION OF ABANDONED MINE LANDS  
(502) 564-2141

- The Owner understands and acknowledges that the success of the project cannot be warranted and the proposed work may not accomplish the intended result. The Owner also acknowledges that DAML has no responsibility or liability for any mine related damage to the Owner's property which occurred prior to or which might occur during or after the statement work.
- It is understood the work performed in the project area shall be done by contractors for the Commonwealth, and the Commonwealth is without authority to assume the risk of injury to persons or damage to persons or property resulting from the action of the contractors, but the Commonwealth shall require contractors performing the work on the property to obtain and keep in force liability insurance.
- It is further understood that the Commonwealth is unable to make repairs to structures for any mine related damages. However, upon completion of the reclamation work, the property shall be restored to a condition judged to be safe and acceptable to the DAML.
- The Owner understands that if, as part of the intended reclamation project, DAML damages or destroys any landscaping, septic system or other item of personal property, that item will be repaired or replaced with an identical or similar item by DAML. Septic systems damaged or removed as part of the project must be replaced according to local health department regulations. Upon completion of the project, all future septic system maintenance will be the responsibility of the landowners.
- It is further understood that any agreement, verbal or written, between the Owner and DAML's contractor shall be solely between said parties. Since DAML is not party to that agreement, it is unable to enforce said agreement and assumes no liability therein.
- Execution of this Consent for Right of Entry does not obligate the Commonwealth to perform any part of the contemplated or proposed reclamation work. By executing this Consent for Right of Entry neither the Owner nor the Commonwealth of Kentucky waive any rights conferred by operation of Title IV of the SHCRA.

**Property Owner Information:**

Please note the following items that may affect the project: for example, location of septic tanks, boundary markers, wells, sentimental landscaping, or utility lines (such as buried TV or telephone cables, buried electric service lines, septic leach lines, or water lines from wells, mines, or public service).

What year was the property deeded to you?

2012

Deed Book and Page Number:

Book 713 Page 359

Previous Owners name:

Benton & Stacy Brown

I acknowledge receipt of this form. I understand that DAML IS A RECLAMATION AGENCY of the Commonwealth of Kentucky and its goal is to reclaim hazards caused by past mining. I understand that DAML is not a land or home improvement agency and that DAML funds are only used in the most cost-efficient manner to abate mine hazards.

T.H.W.  
Initials

12-05-12  
Date



**PRELIMINARY JURISDICTIONAL DETERMINATION FORM**

**BACKGROUND INFORMATION**

**A. REPORT COMPLETION DATE FOR PRELIMINARY JURISDICTIONAL DETERMINATION (JD):**

**B. NAME AND ADDRESS OF PERSON REQUESTING PRELIMINARY JD:**  
KY Division of Abandoned Mine Lands  
2521 Lawrenceburg Rd  
Frankfort, KY 40601

**C. DISTRICT OFFICE, FILE NAME, AND NUMBER:**

**D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:**  
**(USE THE ATTACHED TABLE TO DOCUMENT MULTIPLE WATERBODIES AT DIFFERENT SITES)**

State: KY County/parish/borough: Hopkins City: Mortons Gap  
Center coordinates of site (lat/long in degree decimal format): Lat. 37.26002°  
N, Long. 87.47517° W.

Universal Transverse Mercator:

Name of nearest waterbody: Flat Creek

Identify (estimate) amount of waters in the review area:

Non-wetland waters: linear feet: width (ft) and/or acres.

Cowardin Class:

Stream Flow:

Wetlands: 1.798 acres

Cowardin Class: Palustrine Unconsolidated bottom excavated (various water and chemistry modifiers)

Name of any water bodies on the site that have been identified as Section 10 waters:

Tidal: None

Non-Tidal: None

**E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):**

☐ Office (Desk) Determination. Date:

☐ Field Determination. Date(s):

1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant's acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable. This preliminary JD finds that there "*may be*" waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:

**SUPPORTING DATA. Data reviewed for preliminary JD (check all that apply**

- checked items should be included in case file and, where checked and requested, appropriately reference sources below):

☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: .

☐ Data sheets prepared/submitted by or on behalf of the applicant/consultant.

☐ Office concurs with data sheets/delineation report.

☐ Office does not concur with data sheets/delineation report.

☐ Data sheets prepared by the Corps: .

☐ Corps navigable waters' study: .

☐ U.S. Geological Survey Hydrologic Atlas: .

☐ USGS NHD data.

☐ USGS 8 and 12 digit HUC maps.

☐ U.S. Geological Survey map(s). Cite scale & quad name: .

☐ USDA Natural Resources Conservation Service Soil Survey. Citation: .

☒ National wetlands inventory map(s). Cite name: FWS Wetland Mapper- Jan 2015.

☐ State/Local wetland inventory map(s): .

☐ FEMA/FIRM maps: .

☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)

☐ Photographs: ☐ Aerial (Name & Date): .

or ☐ Other (Name & Date): .

☐ Previous determination(s). File no. and date of response letter: .

☐ Other information (please specify): .

**IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.**

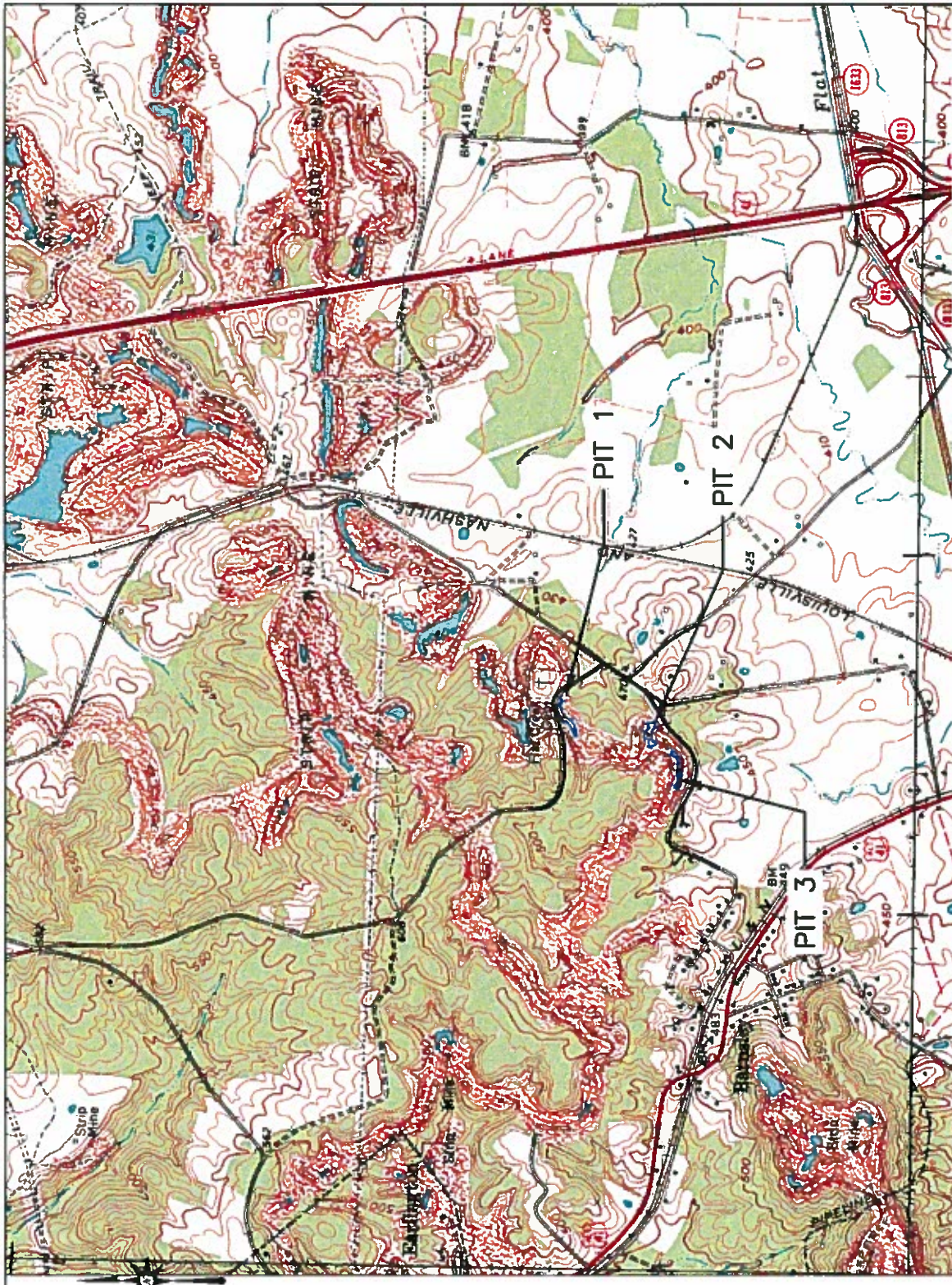
\_\_\_\_\_  
Signature and date of  
Regulatory Project Manager  
(REQUIRED)

\_\_\_\_\_  
Signature and date of  
person requesting preliminary JD  
(REQUIRED, unless obtaining  
the signature is impracticable)

<b>Site number</b>	<b>Latitude</b>	<b>Longitude</b>	<b>Cowardin Class</b>	<b>Estimated amount of aquatic resource in review area</b>	<b>Class of aquatic resource</b>
1	37.26317	-87.47441	PUBCx	0.564 acres*	non-section 10 – wetland
2	37.26002	-87.47517	PUBHx6a	0.594 acres	non-section 10 – wetland
3	37.25885	-87.47679	PUBHx6a	0.640 acres	non-section 10 – wetland

\*total, only 0.456 acres to be disturbed





COUNTY	NO.
HOPKINS	1

0' 2000' 4000' 6000'

MADISONVILLE EAST  
USGS TOPO QUAD

FRANK ECK AMLRP

ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF ABANDONED MINE LANDS  
FRANKFORT, KY

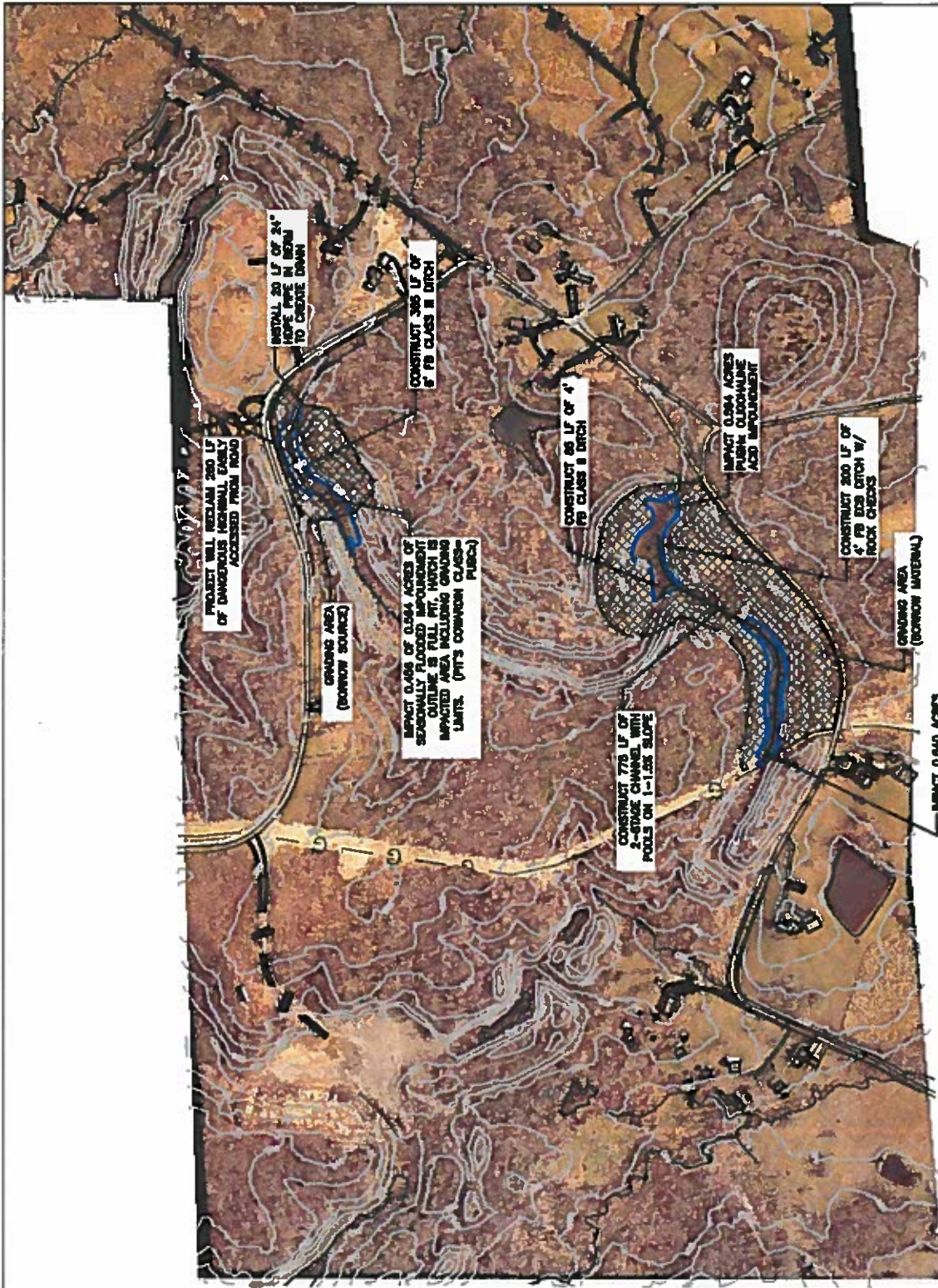
DRAWN BY:  
JER

DATE:  
1-27-15

USGS TOPO LOCATION



COUNTY	NO.
HOPKINS	2



FRANK ECK AMLRP

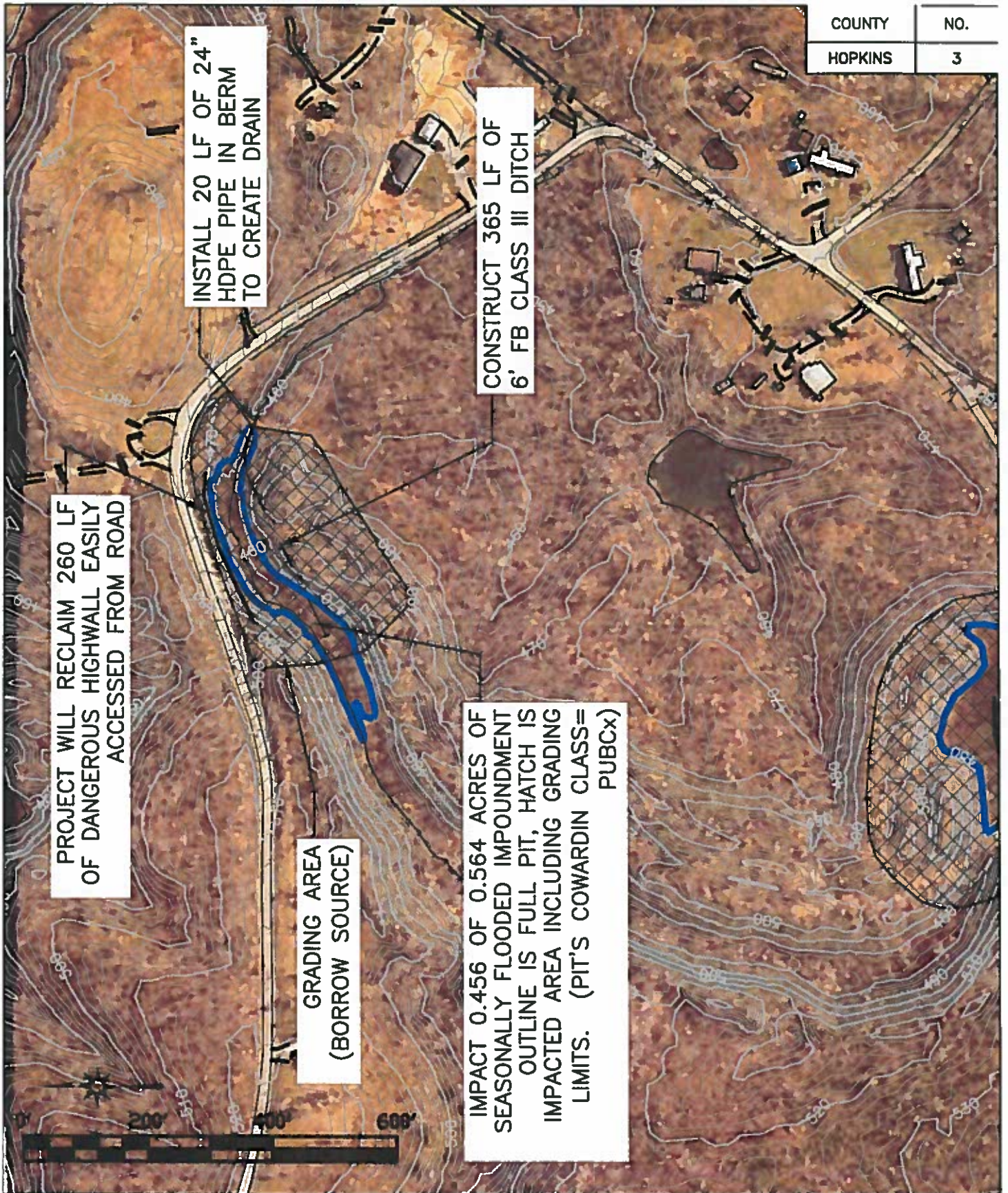
ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF ABANDONED MINE LANDS  
FRANKFORT, KY

DRAWN BY:  
JER

DATE:  
1-27-15

OVERALL PLANVIEW

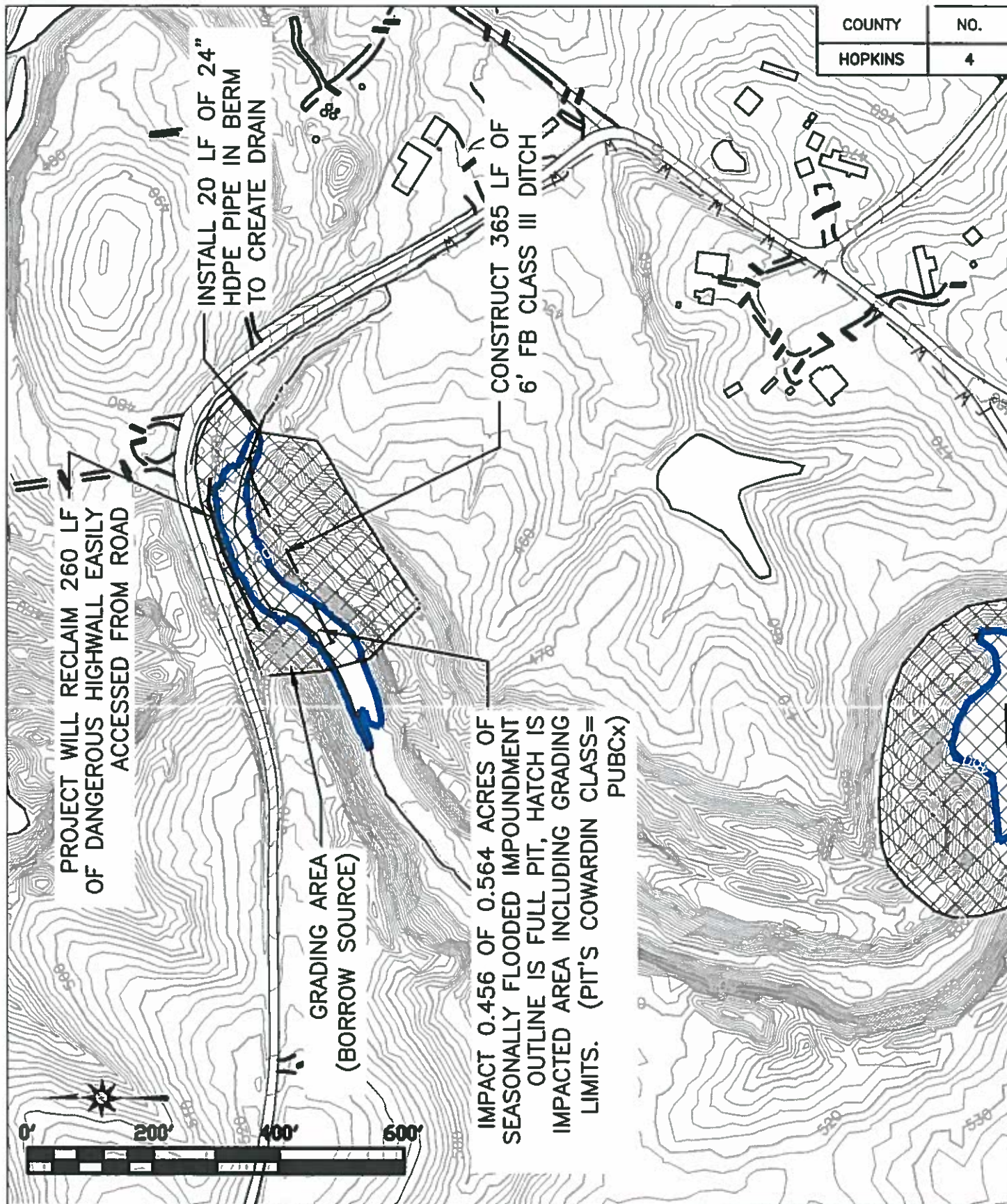




COUNTY	NO.
HOPKINS	3

FRANK ECK AMLRP			ENERGY AND ENVIRONMENT CABINET DEPARTMENT OF NATURAL RESOURCES DIVISION OF ABANDONED MINE LANDS FRANKFORT, KY
DRAWN BY: JER	DATE: 1-27-15	NORTHEAST PIT 1 W/ AERIAL	





COUNTY  
HOPKINS

NO.  
4

FRANK ECK AMLRP

DRAWN BY:  
JER

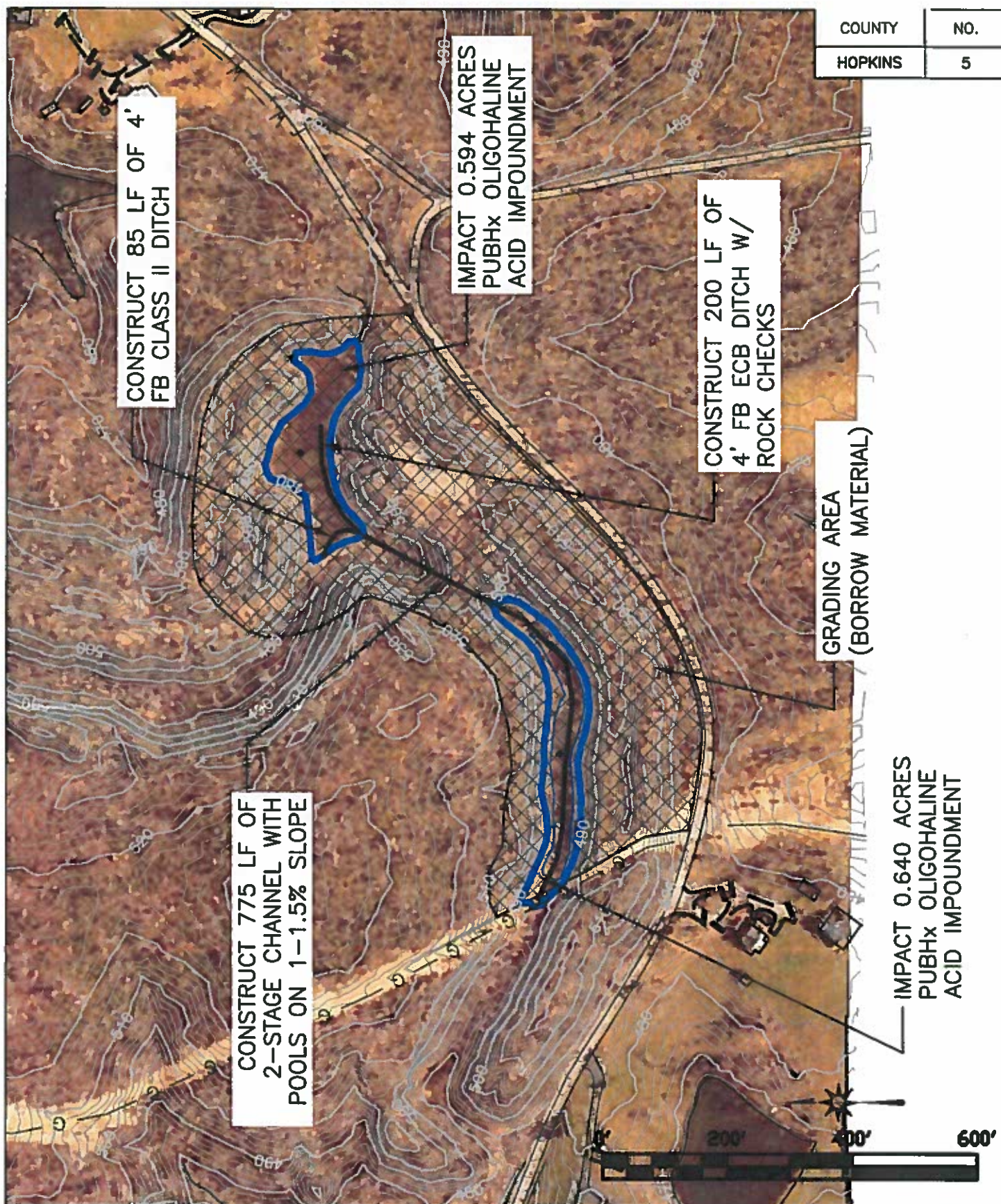
DATE:  
1-27-15

NORTHEAST PIT 1 W/O AERIAL

ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF ABANDONED MINE LANDS  
FRANKFORT, KY



COUNTY	NO.
HOPKINS	5



FRANK ECK AMLRP

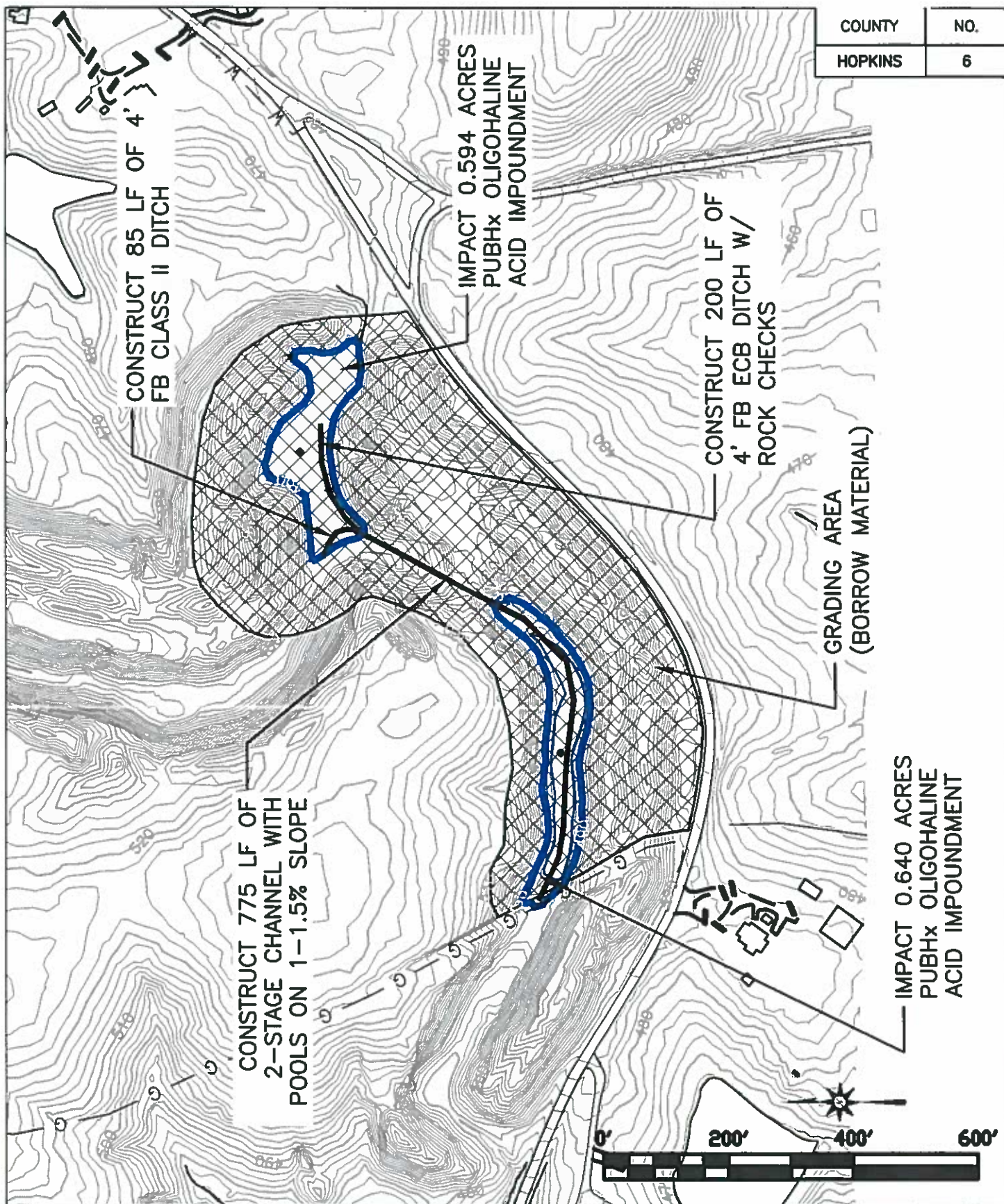
ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF ABANDONED MINE LANDS  
FRANKFORT, KY

DRAWN BY:  
JER

DATE:  
1-27-15

SOUTHWEST PIT 2 & 3 W/ AERIAL





COUNTY	NO.
HOPKINS	6

# FRANK ECK AMLRP

ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF ABANDONED MINE LANDS  
FRANKFORT, KY



DRAWN BY:  
JER

DATE:  
1-27-15

SOUTHWEST PIT 2 & 3 W/ AERIAL

## PHOTO SHEET

<b>Name:</b>	Frank Eck Project AMLRP – Hopkins County, KY
<b>Taken by:</b>	Robinson
<b>Date:</b>	1-22-15

		<p>Pit 1</p> <p>Looking at western end of proposed gradework area from roadside highwall at local dumping spot.</p> <p>37.26341, -87.47433</p>
		<p>Pit 1</p> <p>Looking eastward from roadside highwall at local dumping spot.</p> <p>37.26341, -87.47433</p>





PIT 1 from the eastern edge.

37.26324, -87.47359



PIT 2 from the southeastern edge. Gray is refuse material around edges.

37.25982, -87.47508



PIT 3 from the western  
edge.

37.25876, -87.47745



**TOURISM, ARTS AND HERITAGE CABINET  
KENTUCKY DEPARTMENT OF FISH & WILDLIFE RESOURCES**

**Steven L. Beshear**  
Governor

#1 Sportsman's Lane  
Frankfort, Kentucky 40601  
Phone (502) 564-3400  
1-800-858-1549  
Fax (502) 564-0506  
[fw.ky.gov](http://fw.ky.gov)

**Bob Stewart**  
Secretary

**Gregory K. Johnson**  
Commissioner

21 August 2014

Robert F. Scott, Director  
Division of Abandoned Mine Lands  
2521 Lawrenceburg Road  
Frankfort, KY 40601

RE: Frank Eck AML Reclamation Project (Hopkins County)

Dear Mr. Scott:

The Kentucky Department of Fish and Wildlife Resources (KDFWR) has received your request for information pertaining to the subject project. The Kentucky Fish and Wildlife Information System indicates that the federally - listed Grey bat (*Myotis grisescens*) is known to occur within 10 miles of the project site. No additional state-listed species are known to occur within one mile of the project. This project does not occur within known Indiana bat habitat according to the U.S. Fish and Wildlife Service Kentucky Field Office (USFWS). Please be aware that our database system is a dynamic one that only represents our current knowledge of various species distributions.

Erosion control measures, as mentioned in the proposal, should be developed and implemented prior to construction to reduce siltation into waterways located within the project area. I hope this information is helpful to you, and if you have questions or require additional information, please call me at (502) 564-7109 extension 4453.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dan Stoelb".

Dan Stoelb  
Wildlife Biologist

Cc: Environmental Section File



STEVEN L. BESHEAR  
GOVERNOR

**TOURISM, ARTS AND HERITAGE CABINET  
KENTUCKY HERITAGE COUNCIL**

BOB STEWART  
SECRETARY

THE STATE HISTORIC PRESERVATION OFFICE  
300 WASHINGTON STREET  
FRANKFORT, KENTUCKY 40601  
PHONE (502) 564-7005  
FAX (502) 564-5820  
[www.heritage.ky.gov](http://www.heritage.ky.gov)

CRAIG A. POTTS  
EXECUTIVE DIRECTOR AND  
STATE HISTORIC PRESERVATION OFFICER

December 22, 2014

Mr. Robert Scott  
Energy and Environment Cabinet  
Division of Abandoned Mines  
2521 Lawrenceburg Road  
Frankfort, KY 40601

**Re: Frank Eck AML Reclamation Project**

Dear Mr. Scott:

Thank you for the additional information on the project listed above. Based on the additional information it appears there will be no historic properties directly impacted by your project. In accordance with 36 CFR Part 800.4(d) of the Advisory Council's revised regulations our finding is that there will be **No Historic Properties Affected** within the undertaking's direct impact area.

However, should the project plans change, or should additional information become available regarding cultural resources or citizens' concerns regarding impacts to cultural resources, please submit that information to our office as additional consultation may be warranted. In the event that human remains are encountered during project activities, all work should be immediately stopped in the area and the area cordoned off, and in accordance with KRS 72.020 the county coroner and local law enforcement must be contacted immediately. Upon confirmation that the human remains are not of forensic interest, the unanticipated discovery must be reported to the Kentucky Heritage Council and the Kentucky Office of State Archaeology in the Anthropology Department at the University of Kentucky.

Should you have any questions, feel free to contact Yvonne Sherrick of my staff at 564-7005, ext. 113.

Sincerely,

Craig A. Potts  
Executive Director and  
State Historic Preservation Officer

CP:42984